REMARKS

Claims 1-24 are in the application as filed. The examiner has restricted the application to two groups. Applicants have elected Claims 1-13. Claims 14-24 are withdrawn from consideration.

REJECTION UNDER 35 USC 102

Claims 1-3 and 5-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Blomquist et al., US 6, 496,637, equivalent Application Publication US 2002/0122647 and divisional US 6,711,336). In response to this rejection, applicants are providing this present amendment with amended claims. More specifically, the limitations of original Claims 1, 2 and 4 are now present in amended Claim 4. Amended Claim 4 is not anticipated by the above Blomquist et al. reference and support for the amendment is provided by the original Claims 1, 2, and 4 as well as throughout the specification. Applicants respectfully request removal of this rejection in view of the amendments to Claim 4.

REJECTION UNDER 35 USC 103

Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blomquist et al. (US 6,496,637) as viewed by the Examiner. The reason cited is that, while Blomquist et al. do not disclose employing at least 2.5 equivalents of OH groups in the fluorinated polyol for every equivalent of hydroxy-reactive groups in the polycarboxylic acid, that "one of ordinary skill in the art at the time of the invention would have recognized that an excess of hydroxyl groups in the polyol are needed to react with the (meth)acrylic acid or (meth)acrylic chloride to provide the acrylate polymerizable groups after reaction with the polycarboxylic acid." Applicants respectfully traverse this rejection for the reasons set forth below.

While it is true that an excess of hydroxyl groups in the polyol are needed in the above (esterification) reaction for the reason cited, there is no disclosure in Blomquist et al. nor even a hint thereto of how much of an excess of polyol is needed relative to polycarboxylic acid in this esterification reaction to afford ester product having desirable properties. In this invention, Applicants have found that having a 2.5 equivalent excess of polyol is key for the resulting (meth)acrylate monomer to have suitable viscosity and refractive index for use in photosensitive acrylate compositions. When this ratio is less than 2.5, Applicants have found the resulting ester has too high a molecular weight for suitable processing of photosensitive acrylate compositions in making waveguides. Furthermore, when this ratio is less than 2.5, gelling problems can occur during reaction. These points are

discussed/supported on page 8, lines 1-9 of Applicants' specification and hence there is no new matter being introduced.

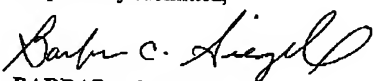
In addition to the above amendment regarding Claim 4, Applicants have amended dependent Claim 13 to be an independent Claim 13 (once amended) that has all the limitations of original Claims 1 and 13. As indicated above, Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Blomquist et al. (US 6,496,637) as viewed by the Examiner. The Office position is that, while Blomquist does not specifically mention the possibility of employing more than one photoinitiator, one skilled in the art would have been motivated to employ two or more photoinitiators with a reasonable expectation of providing photoinitiation and possibly with the photoinitiators functioning in a synergistic manner. Applicants respectfully traverse this rejection for the reasons that follow. While it may be true that use of two or more photoinitiators might provide a synergistic effect, there is no specific recitation in Blomquist or the Office action as to what this synergistic effect(s) might be. In Applicants' invention, as stated on page 15, 5-8, it is preferred that the photoinitiator composition be a mixture of at least two photoinitiators with different extinction coefficients and absorption maxima. Such a mixed photoinitator composition enables high photo contrast as well as fast curing speed. Thus Applicants have identified two specific properties – photo contrast and curing speed – that can benefit in this invention from use of two or more photoinitiators. Neither of these are disclosed or even hinted at in the applied reference and Office action. Thus Applicants believe that their invention with respect to Claim 13 is not obvious over Blomquist et al. and respectfully request removal of this rejection.

With the above amendment, Applicants believe their application is in condition for allowance. A notice of allowance for claims 3, and 4-13, as amended herein is respectfully solicited.

Application No.: 10/050186
Docket No.: FO6069USNA

If anything further is required to advance allowance of applicant's case, the Examiner is urged to contact applicants' attorney at the telephone number below.

Respectfully submitted,



BARBARA C. SIEGELL
ATTORNEY FOR APPLICANTS
Registration No.: 30,684
Telephone: (302) 992-4931
Facsimile: (302) 992-5374

Dated: November 29, 2004